

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

<b>ROBERT F. BOST, and wife</b>	)	
<b>MILDRED S. BOST, <i>et al.</i>,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>Vs.</b>	)	<b>Civil No. 3:98CV198</b>
	)	
<b>DANIEL INTERNATIONAL</b>	)	
<b>CORPORATION, f/k/a Daniel</b>	)	
<b>Construction Company, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	
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	)	
<b>VONNIE K. AGNER, and wife,</b>	)	
<b>AGNER, <i>et al.</i>,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>Vs.</b>	)	<b>Civil No. 3:98CV220</b>
	)	
<b>DANIEL INTERNATIONAL</b>	)	
<b>CORPORATION, f/k/a Daniel</b>	)	
<b>Construction Company, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	
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**FINAL PRETRIAL ORDER**

**THESE MATTERS** are before the Court on the responses of counsel to the Court's letter of January 10, 2007, and subsequent orders and for entry of a final pretrial order.

Having given consideration to the parties' submissions,

**IT IS, THEREFORE, ORDERED** that the following groups of Plaintiffs  
are hereby scheduled for trial:

**MAY 21 THROUGH JUNE 1, 2007:**

Vonnie K. Agner, and wife Jane Agner  
Guy Byrd, and wife Carol Byrd  
Irvin Gobble  
John A. Hodge  
William H. Parker  
Theloa Robinson  
Coy Shive, and wife Patricia Shive  
Franklin D. Sloop, and wife Faye T. Sloop  
Rufus Smith  
Albert Tittle, and wife Mary M. Tittle  
Jasper J. Waddell

**AUGUST 20 THROUGH AUGUST 31, 2007:**

Arnold Crook, and wife Aulena Crook  
Cornelius Hargrove, and wife Ellen W. Hargrove  
J. Frances Holt, and wife Almeader S. Holt  
Norman Holt, and wife Betty L. Holt  
Jimmie L. Kitchen  
Donald Lindsay  
James A. Redmond, and wife Annie B. Redmond  
Jerry L. Reid, and wife Wanda L. Reid  
James Sloan, and wife Willie M. Sloan  
John H. Smith, and wife Vernie Smith

**OCTOBER 22 THROUGH NOVEMBER 1, 2007:**

Thomas F. Barnhardt, and wife Vickie Barnhardt  
Terry W. Beeker, and wife Susan M. Beeker  
Terry J. Bond, and wife Nancy M. Bond  
James Coleman

Joe L. Ellis, and wife Annie R. Ellis  
Larry W. Henderickson, and wife Doris L. Henderickson  
Arthur W. Hunt, and wife Sandra H. Hunt  
Ronald Kepley, and wife Annie B. Kepley  
Homer W. Potts, and wife Debbie C. Potts  
Glenn C. Seaford, Sr., and wife Katherine Seaford

**IT IS FURTHER ORDERED** that the following deadlines apply to each group of Plaintiffs enumerated above:

1. Depositions of the Plaintiffs must be completed on or before **90 DAYS BEFORE TRIAL;**
2. Plaintiffs shall provide the Defendants with any updating medical review on or before **90 DAYS BEFORE TRIAL;**
3. All prior radiology shall be shared with the Defendants on or before **90 DAYS BEFORE TRIAL;**
4. Any new radiology must be produced digitally;
5. On or before **60 DAYS BEFORE TRIAL**, the Plaintiffs shall execute authorizations for the blanket release of medical records to defense counsel;
6. Reports for retained experts are due from the Plaintiffs no later than **60 DAYS BEFORE TRIAL**, and from the Defendants no later than **30 DAYS BEFORE TRIAL;**

7. Plaintiffs shall identify any product identification or co-worker witnesses no later than **60 DAYS BEFORE TRIAL**;
8. Discovery shall be completed no later than **30 DAYS BEFORE TRIAL**;
9. All motions except motions *in limine* shall be filed no later than **30 DAYS BEFORE TRIAL**.

The parties are directed to consult with the other pretrial orders entered herein for matters not specifically addressed by this Order.

Signed: February 6, 2007

A handwritten signature in black ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

